

1 THE HONORABLE JOHN C. COUGHENOUR  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

v.

12 JOSHUA DYLAN BROOKS,

13 Defendant.

CASE NO. CR18-0224-JCC

ORDER

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15 This matter comes before the Court on Defendant's unopposed motion to continue trial  
16 and the pretrial motions deadline (Dkt. No. 17). Defendant has filed a speedy trial waiver up to  
17 April 22, 2019. (Dkt. No. 18.) Having considered Defendant's motion (Dkt. No. 17) and speedy  
18 trial waiver (Dkt. No. 18), the Court FINDS:

19 1. The ends of justice served by granting this continuance outweigh the best interests of  
20 the public and Defendant in a speedy trial, as set forth in 18 U.S.C. § 3161(h)(7)(A);

21 2. Proceeding to trial absent adequate time for the defense to prepare would likely result  
22 in a miscarriage of justice, as set forth in 18 U.S.C. §3161(h)(7)(B)(i);

23 3. The defense needs additional time to explore issues of some complexity, including all  
24 relevant issues and defenses, which would make it unreasonable to expect adequate preparation  
25 for pretrial proceedings or for trial itself within the time limits established by the Speedy Trial  
26 Act, as set forth in 18 U.S.C. § 3161(h)(7)(B)(ii); and

4. Taking into account the exercise of due diligence, a continuance is necessary to allow Defendant the reasonable time necessary for effective preparation of his defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv).

It is therefore ORDERED that the trial date be continued from December 3, 2018 to April 8, 2019 at 9:30 a.m., and that the time between the date of this order and the new trial date is excludable time under the Speedy Trial Act, pursuant to 18 U.S.C. §§ 3161(h)(7)(A), 3161(h)(7)(B)(ii), and 3161(h)(7)(B)(iv). Any pretrial motions shall be filed no later than March 1, 2019.

For the foregoing reasons, Defendant's motion to continue trial (Dkt. No. 17) is GRANTED.

DATED this 17th day of October 2018.

John C. Coyle

John C. Coughenour  
UNITED STATES DISTRICT JUDGE